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December 10, 05  
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**PCT**  
WRITTEN NOTIFICATION  
OF THE INTERNATIONAL  
SEARCH AUTHORITY  
(Rule 43*bis*, 1 PCT)

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PATENT ATTORNEYS  
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**TO PROCEED FURTHER**

see point 2 below

International File Reference  
**PCT/EP2005/000467**

International Application Date  
(day/month/year)  
January 19, 2005

Priority Date  
(day/month/year)  
February 10, 2004

International Patent Classification (IPC) or National Classification and IPC

**E05D7/04**

Applicant  
LAUTENSCHLÄGER, Horst

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**Field No. V      Justified determination in accordance with Rule 43bis.1(a)(i) with respect to novelty,  
inventive activity, and commercial applicability; documents and explanations to support this  
determination**

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1. Determination

Novelty	Yes:	Claims 2-3
	No:	Claims 1, 4-8
Inventive activity	Yes:	Claims [sic] 3
	No:	Claims 1, 2, 4-8
Commercial applicability	Yes:	Claims 1-8
	No:	Claims:

2. Documents and Explanations  
**See attached sheet**

**Regarding Point V.**

1. Reference is made to the following documents:  
D1: US 2 839 778 A (HUTCHINSON JOHN L ET AL) 24 June 1958,  
D2: EP 0 429 134 A (O.M.M. DI ENRICO E ING. ROBERTO MARIANI S.N.C) 29 May 1991

2. INDEPENDENT CLAIM 1

The present application does not satisfy the requirements of Article 33(1) PCT, because the subject matter of Claim 1 is not novel in the sense of Article 33(2) PCT. Document D1, namely, reveals all the characteristics of Claim 1, i.e. (see Figs. 5-9; the references in parentheses refer to this document): a furniture or structural fitting, consisting of a first fitting part (41, 45) and a second fitting part (55), connected to it by way of an elevation adjustment apparatus, such that at the first fitting part (41, 45), a threaded spindle (64) is seated in two bearings (46, 65), arranged at some distance from one another, so as to be capable of rotation, but incapable of being repositioned axially, such that a threaded sleeve (52) that is connected to the second fitting part (55) is engaged with the threaded spindle (64) between the two bearings (46, 65) so that it may be repositioned axially, and the second fitting part (55), which exhibits the threaded sleeve (52) is led on the first fitting part (41, 45) by means of a longitudinal guide apparatus (52'), so as to be incapable of rotation.

3. DEPENDENT CLAIMS 2, 4-8

The Claims 2, 4-8 contain no characteristics which, in combination with the characteristics of any claim to which they refer, satisfy the requirements of the PCT with respect to novelty or inventive activity (Article 33(2) and (3) PCT), because these characteristics are rendered obvious by the prior art as it was determined to exist, or they represent measures common to the art: see D2, the pocket (7) and D1, the heads (64', 64'') and the wrench projection profile (64').

4. DEPENDENT CLAIM 3

The combination of characteristics contained within dependent Claim 3, which assures an optically improved and protected arrangement, is neither known from the extant prior art, nor is it rendered obvious by the latter.